

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

Y-TRAP, INC.,

Plaintiff,

v.

BIOCON LTD. AND BICARA THERAPEUTICS,
INC.,

Defendants.

Civil Action No. 1:24-cv-12678-GAO

JURY TRIAL DEMANDED

PLAINTIFF’S NOTICE REGARDING DEFENDANTS’ MOTIONS TO DISMISS

Pending before the Court is Defendant Bicara Therapeutics, Inc.’s (“Bicara”) Motion to Dismiss the Complaint (Dkt. 44) and Defendant Biocon Ltd.’s (“Biocon”) Motion to Dismiss the Complaint (Dkt. 52) (collectively, the “Motions”). After Defendants filed the Motions, Y-Trap, Inc. (“Y-Trap”) filed a First Amended Complaint as of right pursuant to Fed. R. Civ. P. 15(a)(1)(B).

Y-Trap believes that its original Complaint was more than sufficient to withstand the Motions. But in the hope of eliminating any further motions to dismiss, Y-Trap filed the First Amended Complaint to address what Defendants’ Motions asserted were deficiencies in the original Complaint and to assist the Court if further such motions are brought.

Pursuant to Fed. R. Civ. P. 15(a), the First Amended Complaint is the operative complaint, rendering Defendants’ Motions moot. *See, e.g., Connectu LLC v. Zuckerberg*, 522 F.3d 82, 91 (1st Cir. 2008) (“An amended complaint, once filed, normally supersedes the antecedent complaint. Thereafter, the earlier complaint is a dead letter and no longer performs any function in the case.”) (internal citations and quotation marks omitted); *see also Scott v. Oklahoma Student*

Loan Authority, No. 1:23-cv-10841-PBS, 2024 WL 4765692, at *2 (D. Mass. Feb. 7, 2024) (“First, because an amended complaint supersedes an original complaint and renders it null and void, it renders moot any pending motions to dismiss the original complaint. Accordingly, the two pending motions to dismiss the original complaint are denied as moot.”) (same omissions).

For these reasons, Plaintiff asks that the Court deny Defendants’ Motions as moot.

Dated: January 31, 2025

Y-TRAP, INC.

By its attorneys,

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CERTIFICATE OF SERVICE

I hereby certify that this document filed through the CM/ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) on January 31, 2025.

/s/ David K. Tellekson

David K. Tellekson